

Remarks/Arguments:

Claims 1-11 have been amended. Claim 12 has been added. No new matter is introduced herein. Claims 2-12 are pending.

The specification has been amended to correct typographical errors. No new matter is introduced here.

Claims 1-11 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, claim 1 does not include a list of approaches that form a group consisting of all approaches as claimed. Claim 1 has been amended accordingly. No new matter has been added. It is respectfully requested that the rejection of claims 1-11 be withdrawn.

Claims 1-11 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Robbins (U.S. Pub. No. 2001/0039506) in view of Newsletter for INFORMS Computing Society (INFORMS) and Applicants Admitted Prior Art (AAPA) in the disclosure filed July 01, 2003. It is respectfully submitted, however, that these claims are now patentable over the cited art for the reasons set forth below.

Claim 1, as amended, includes features neither disclosed or suggested by the cited art. Namely:

a) determining influence factors and a range of influence factor values for each of different types of appraisal approaches...

b) applying a nonlinear optimization to a predetermined objective function that uses each of the different types of appraisal approaches according to the influence factors and the range of influence factor values...

c) determining an optimal range of appraisal values for the real estate property from the applied nonlinear optimization according to each of the different types of appraisal approaches...

...each of the different types of appraisal approaches are a sales comparison approach, an income capitalization approach and a cost approach... (Emphasis Added)

These features are supported, for example, p. 9, lines 4-9, p. 15, line 4-p. 16, line 4 and p. 17, line 20-p. 18, line 2; and Figs. 1a-b.

Robbins discloses a real estate appraisal method for estimating the value of real estate property. In paragraph [0080], Robbins discloses that an appraiser generally considers the cost approach, the income approach and the sales comparison approach. However, the Robbins application discloses that the real estate appraisal method is performed through the sales comparison approach (paragraphs [0076] and [0080]). Robbins does not disclose or suggest Applicants claimed features of "b) applying a nonlinear optimization to a predetermined objective function that uses each of the different types of appraisal approaches", "c) determining an optimal range of appraisal values for the real estate property from the applied nonlinear optimization according to each of the different types of appraisal approaches..." or that "...each of the different types of appraisal approaches are a sales comparison approach, an income capitalization approach and a cost approach..." (emphasis added). Robbins does not disclose or suggest that the different types of appraisal approaches are used in a nonlinear optimization to provide an optimal range of appraisal values. Robbins is silent regarding the use of nonlinear optimization. Robbins uses the sales comparison method rather than each of different types of approaches (the sales comparison approach, the income capitalization approach and the cost approach). Thus, Robbins does not include all of the features of amended claim 1.

AAPA disclose that software packages are available that are capable of solving optimization problems and that a number of these packages search for a local minimum or maximum. AAPA further disclose that LINGO finds a global optimum solution (p. 18, lines 12-18). However, AAPA does not make up for the features lacking in Robbins. Namely, that different types of appraisal approaches are used in a nonlinear optimization to provide an optimal range of appraisal values.

The INFORMS publication disclose that modeling languages may be used for optimization (p. 1). The INFORMS publication further disclose that one such modeling language, LINGO 7, implements a wide range of functions that can be used in nonlinear models (p. 8). However, the INFORMS publication do not make up for the features that are lacking in Robbins or AAPA. Namely, that different types of appraisal approaches are used in a nonlinear optimization to provide an optimal range of appraisal values. Accordingly, claim 1 is patentable over the cited art.

Claims 2-11 include all of the features of claim 1 from which they depend. Accordingly, claims 2-11 are also patentable over the cited art.

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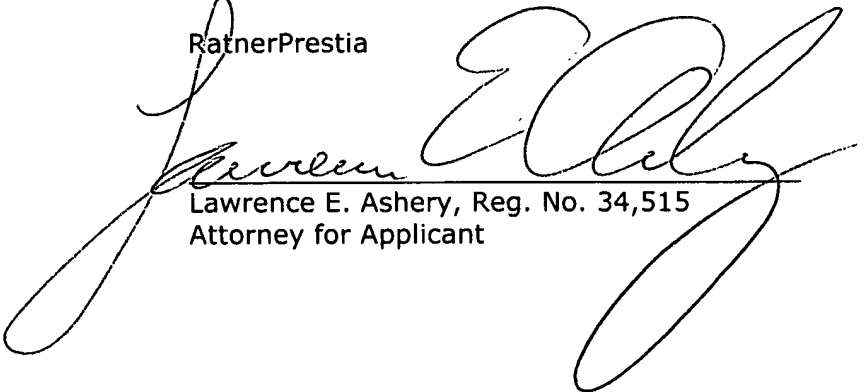
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Claim 12 has been added. No new material is introduced herein. Claim 12 is supported, for example, p. 9, lines 4-9, p. 15, line 4-p. 16, line 4 and p. 17, line 20-p. 18, line 2.

In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance which action is respectfully requested.

Respectfully submitted,

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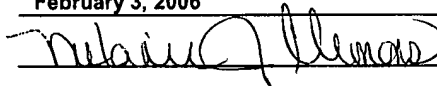
Dated: February 3, 2006

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